

**AN ORDINANCE BY
PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**

AN ORDINANCE TO AMEND CHAPTER 10, ARTICLE II, DIVISION 2, SECTION 10-61, ENTITLED "DATE FOR PAYMENT OF LICENSE FEES; PRORATED FEES", TO PROVIDE FOR AN EXPIRATION DATE FOR ALL LICENSES ISSUED UNDER DIVISION 2 OF CHAPTER 10, ARTICLE II OF THE CITY OF ATLANTA CODE OF ORDINANCES; TO CHANGE THE DATE BY WHICH ALL ANNUAL LICENSE FEES AND RENEWAL APPLICATIONS OF ALL ANNUAL LICENSES ISSUED UNDER DIVISION 2 OF CHAPTER 10, ARTICLE II OF THE CITY OF ATLANTA CODE OF ORDINANCES MUST BE SUBMITTED; TO PROVIDE FOR PRORATED FEES BASED UPON THE NEW DEADLINE; TO SET FORTH THAT THE EFFECTIVE DATE OF THIS AMENDMENT SHALL BE JANUARY 2, 2009; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta has an interest in maintaining the health, safety and welfare of the citizens of the City of Atlanta and its visitors; and

WHEREAS, the City of Atlanta has an interest in regulating, through the lawful exercise of its police powers, the sale of alcoholic beverages within its territorial limits; and

WHEREAS, currently Chapter 10, Article II, Division 2, Section 10-61 sets forth that the deadline for the payment of all annual license fees and for the submission of renewal applications of all annual licenses issued under Division 2 of Chapter 10, Article II of the City of Atlanta Code of Ordinances is January 1 of every year; and

WHEREAS, currently Section 10-61 sets forth that any person granted a new license under Division 2 of Chapter 10, Article II, during a calendar year shall pay the full license fee without proration with the submission of the application for a new license, except that the fee for a new license granted after June 30 in any calendar year shall be 50 percent of the annual license fees for the remainder of that calendar year; and

WHEREAS, Section 3-2-7 of the Official Code of Georgia Annotated, (OCGA), sets forth that all alcoholic beverage licenses issued by the State of Georgia shall expire on December 31 of each year and application for renewal shall be made annually on or before November 1; and

WHEREAS, currently, the City of Atlanta Code of Ordinances does not provide a date on which alcoholic beverage licenses issued by the City expire; and

WHEREAS, licenses issued by both the City of Atlanta and the State of Georgia are required to sell alcohol within the City of Atlanta; and

WHEREAS, it is the desire of the City of Atlanta to ensure that its Ordinances are compatible with State law; and

WHEREAS, the City of Atlanta desires to improve its ability to provide Best in Class customer service by ensuring that all City of Atlanta alcohol renewal applications have had the opportunity to have been completed before the deadline for the renewal of the State alcohol licenses; and

WHEREAS, the City of Atlanta wishes to continue to allow persons granted a new license with less than six months remaining before such license must be renewed to pay 50 percent of the annual license fees for the remainder of the term of the license; and

WHEREAS, the City of Atlanta wishes that this amendment of section 10-61 shall be effective beginning January 2, 2009.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS, as follows:

Section 1: That Chapter 10, Article II, Division 2, Section 10-61, of the City of Atlanta Code of Ordinances which reads:

Sec. 10-61. Date for payment of license fees; prorated fees.

All annual license fees under this division shall be paid in advance by money order, certified check or cashier's check with submission of the renewal application on or before January 1 of each year. Any person granted a new license under this division during a calendar year shall pay the full license fee without proration by money order, certified check or cashier's check with submission of the application for a new license, except that the fee for a new license granted after June 30 in any calendar year shall be 50 percent of the annual license fees for the remainder of that calendar year.

be amended such as Chapter 10, Article II, Division 2, Section 10-61, of the City of Atlanta Code of Ordinances shall read as follows:

Sec. 10-61. Expiration; date for payment of license fees; prorated fees.

All licenses issued under this division shall expire on December 31 of each year and all annual license fees under this division shall be paid in advance by money order, certified check or cashier's check with submission of the renewal application on or before October 15 of each year. Any person granted a new license under this division during a calendar year shall pay the full license fee without proration by money order, certified check or cashier's check with submission of the application

for a new license, except that the fee for a new license granted after April 15 and before October 15 in any calendar year shall be 50 percent of the annual license fees.

Section 2: The amendment reflected in this ordinance shall become effective on January 2, 2009.

Section 3: Should it be found that any ordinance or parts of any ordinance are in conflict herewith, then those sections contained herein shall be deemed controlling.

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Legislative Counsel (Signature): Amber A. Robinson

Contact Number: (404) 330-6494

Originating Department: Department of Finance, Office of Revenue

Committee(s) of Purview: Public Safety and Legal Administration

Council Deadline: Cycle 11 / June 18, 2008

Anticipated Committee Meeting Date(s): July 1, 2007, 2008

Anticipated Full Council Date: July 21, 2008

Commissioner Signature Nicole Yeessing-Batson
Nicole Yeessing-Batson, Director

Chief Procurement Officer Signature N/A

CAPTION

AN ORDINANCE TO AMEND CHAPTER 10, ARTICLE II, DIVISION 2, SECTION 10-61, ENTITLED "DATE FOR PAYMENT OF LICENSE FEES; PRORATED FEES", TO PROVIDE FOR AN EXPIRATION DATE FOR ALL LICENSES ISSUED UNDER DIVISION 2 OF CHAPTER 10, ARTICLE II OF THE CITY OF ATLANTA CODE OF ORDINANCES; TO CHANGE THE DATE BY WHICH ALL ANNUAL LICENSE FEES AND RENEWAL APPLICATIONS OF ALL ANNUAL LICENSES ISSUED UNDER DIVISION 2 OF CHAPTER 10, ARTICLE II OF THE CITY OF ATLANTA CODE OF ORDINANCES MUST BE SUBMITTED; TO PROVIDE FOR PRORATED FEES BASED UPON THE NEW DEADLINE; TO SET FORTH THAT THE EFFECTIVE DATE OF THIS AMENDMENT SHALL BE JANUARY 2, 2009; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

Financial impact (if any): N/A

Mayor's Staff Only

Received by CPO: _____ Received by LC from CPO: _____
(date) (date)

Received by Mayor's Office: 6.18.08 [Signature] Reviewed by: [Signature]
(date) (date)

Submitted to Council: _____
(date)